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OCT 28 2004

OFFICE OF PETITIONS

In re Application of :
Zhang, et al. : DECISION GRANTING STATUS
Application No. 10/617,623 : UNDER 37 CFR 1.47(a)
Filed: July 10, 2003 :
Atty. Dkt. No.: 529642000300 :
For: PLANT FRUIT WITH ELEVATED :
POTASSIUM LEVELS :
:

This decision is in response to the petition under 37 CFR 1.47(a),
filed March 17, 2004.

The petition is GRANTED.

Petitioner has shown that inventor Hong-Xia Zhang has refused to
execute the declaration for the above-identified application after
having been presented with the application papers.

The above-identified application and papers have been reviewed and
found in compliance with 37 CFR 1.47(a). This application is hereby
accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of
this application's filing to the non-signing inventors at the
addresses given in the petition. Notice of the filing of this
application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application
will be returned to the Office of Initial Patent Examination for
further processing.

Telephone inquiries regarding this decision should be directed to
the undersigned at (571) 272-3205.

Alesia M. Brown
Petitions Attorney
Office of Petitions



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Hong-Xia Zhang
14 James Park Square
Scarborough, Ontario, M1V 2E6
Canada

In re Application of :
Zhang, et al. :
Application No. 10/617,623 : LETTER
Filed: July 10, 2003 :
Docket No.: 529642000300 :
For: PLANT FRUIT WITH ELEVATED :
POTASSIUM LEVELS :

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Dear Sir:

You are named as an inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 C.F.R. § 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost as per 37 C.F.R. § 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 C.F.R. § 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3205. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Telephone inquiries regarding this matter should be directed to the undersigned at (571) 272-3205.

Alesia M. Brown
Senior Petitions Attorney
Office of Petitions